

REMARKS

Claims 1-11 are pending in this application. By this Amendment, claims 1 and 3 are amended and claim 11 is added. Support for the amendment to claim 1 can be found, for example, in paragraph [0029] of the present application. Claim 3 is amended merely to address an informality. Support for new claim 11 is found at paragraph [0014] and Figure 2 of the present application. No new matter is added.

I. Rejections Under § 112

Claims 1-10 are rejected under 35 U.S.C. § 112, first and second paragraphs as allegedly failing to comply with the written description requirement and for allegedly being indefinite. Particularly, the Office Action asserts that the feature "the diaphragm part forming substantially a 270° arc in the valve-operated state" in claim 1 is not disclosed in the Applicant's specification and is indefinite. Claim 1 is amended to remove this feature.

Accordingly, this rejection is moot and withdrawal of the rejection is respectfully requested.

II. Rejections Under § 102(b)

Claims 1-10 are rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 4,826,132 (Moldenhauer). This rejection is respectfully traversed.

The Office Action asserts, in pertinent part, that Moldenhauer discloses "a diaphragm part (12) formed extending in a curve, radially from the main body (10), . . . and including a root (where 12 merges with 10, see labeled fig. 2 below) connected to the main body (10) and positioned inside the diameter of the valve seat (13)." (Office Action, p. 5).

Moldenhauer does not, however, disclose the feature of "a radially outer portion of the root . . . positioned inside the diameter of the valve seat so that liquid pressure acts on a region outside the root connected to an upper surface of the main body for reducing an urging

force of the urging member, the diaphragm valve being capable of lowering an occurrence of water hammer."

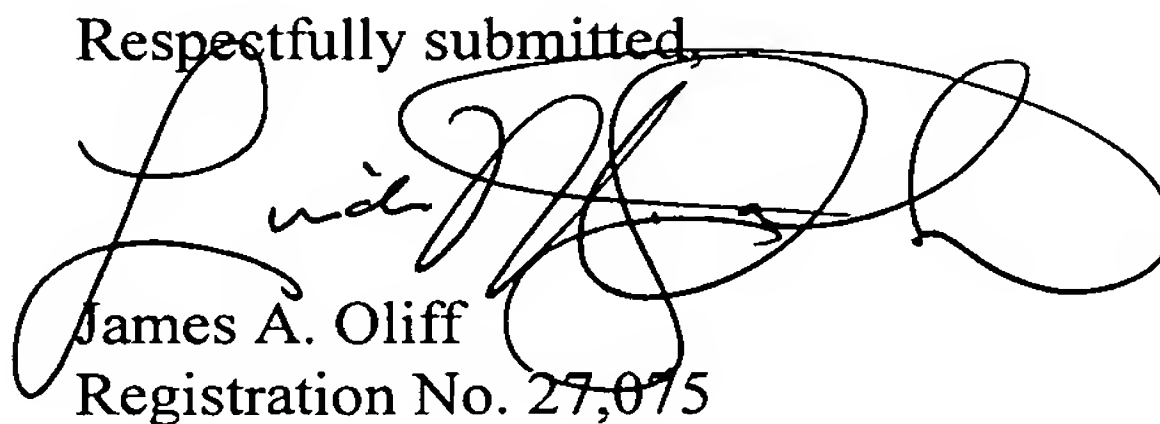
Therefore, amended claim 1 is patentable over the applied reference. Claims 2-11 also are patentable, at least for their dependency from independent claim 1, as well as for the additional features they recite. Accordingly, withdrawal of the rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
RCE Transmittal

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